

NOTATION VOTE

RESPONSE SHEET

TO: SAMUEL J. CHILK, SECRETARY OF THE COMMISSION

FROM: CHAIRMAN PALLADINO

SUBJECT: SECY-85-373 - DENIAL OF DOE REQUEST FOR EXEMPTION TO
PERMIT SALVAGING CONTAMINATED SMELTED ALLOYS

APPROVED X w/comments DISAPPROVED _____ ABSTAIN _____
NOT PARTICIPATING _____ REQUEST DISCUSSION _____

COMMENTS:

I approve staff's recommendations using OPE's suggested rationale for denial. Specifically, I approve OPE's changes to Enclosure E and request Enclosures B, C, D, and F be modified accordingly using the same rationale.

*Agreed to
by
Z S E*

W. Palladino
SIGNATURE

12-11-85
DATE

Entered on "AS"

YES ☒ NO ☐

SECRETARIAT NOTE: PLEASE ALSO RESPOND TO AND/OR COMMENT ON OGC/OPE
MEMORANDUM IF ONE HAS BEEN ISSUED ON THIS PAPER.

K

NOTATION VOTE

RESPONSE SHEET

TO: SAMUEL J. CHILK, SECRETARY OF THE COMMISSION

FROM: COMMISSIONER ROBERTS

SUBJECT: SECY-85-373 - DENIAL OF DOE REQUEST FOR EXEMPTION TO
PERMIT SALVAGING CONTAMINATED SMELTED ALLOYS

APPROVED X DISAPPROVED _____ ABSTAIN _____
NOT PARTICIPATING _____ REQUEST DISCUSSION _____

COMMENTS:

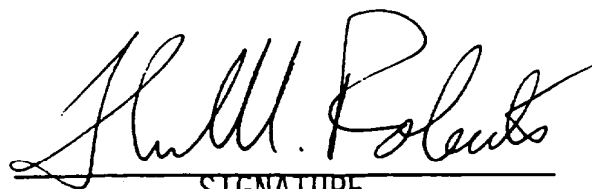
Entered on "AS"

YES

☐

NO

☐



SIGNATURE

1/7/86

DATE

SECRETARIAT NOTE: PLEASE ALSO RESPOND TO AND/OR COMMENT ON OGC/OPE
MEMORANDUM IF ONE HAS BEEN ISSUED ON THIS PAPER.

NOTATION VOTE

RESPONSE SHEET

TO: SAMUEL J. CHILK, SECRETARY OF THE COMMISSION

FROM: COMMISSIONER BERNTHAL

SUBJECT: SECY-85-373 - DENIAL OF DOE REQUEST FOR EXEMPTION TO
PERMIT SALVAGING CONTAMINATED SMELTED ALLOYS

APPROVED ✓ DISAPPROVED _____ ABSTAIN _____

NOT PARTICIPATING _____ REQUEST DISCUSSION _____

COMMENTS: *See attached.*

Samuel J. Chilk
SIGNATURE

YES

NO

Entered on "AS"

☐☐

12/18/85
DATE

SECRETARIAT NOTE: PLEASE ALSO RESPOND TO AND/OR COMMENT ON OGC/OPE
MEMORANDUM IF ONE HAS BEEN ISSUED ON THIS PAPER.

E

Comments of Commissioner Bernthal on SECY 35-373:

I do not necessarily disagree with the current Staff recommendation, and in particular, should satisfactory answers be provided to the questions and comments below, I would agree with the Chairman's comments on the OPE paper. But I am surprised by more than one aspect of this matter:

1) Why have Staff (and presumably DOE) apparently ignored the worthwhile suggestions made by EPA in its January 26, 1981 letter? Virtually the first thought that occurs in relation to the difficult question of permitting general use of such salvaged materials in consumer products is, as EPA noted:

"To avoid the potential problems of industrial or consumer use we recommend that the Nuclear Regulatory Commission (NRC) give more consideration to recycle of the materials within the nuclear industry. Another alternative which analysis may show feasible is to consider commercial uses that, at least following the initial smelting, place the material in products that minimally expose individuals, e.g. battery components or rails....A third alternative which was inadequately addressed in the DES is the recycle of the DOE materials back to DOE facilities."

Has any thought at all been given to the potential use of this material in the fabrication of structural components and/or waste package materials under development by DOE for its high-level waste repository?

2) I could not help but note that the attachment to the above referenced EPA letter listed numerous apparent conceptual and analytical errors in NRC's draft NUREG-0518. If the EPA analysis is even approximately correct, I would frankly have been embarrassed to have been associated with such work, and would probably have joined the 3000-odd dissenters. It is not surprising EPA rated our work "Category 3 (Inadequate)", whatever that may have meant. I trust that the NRC Staff of today would improve considerably on similar work in the future.

3) I would like ACRS to provide its views on the general standards suggested in the original draft EIS, and on EPA's comments and recommendations.

4) Finally, Staff should explain what happened to this matter between 1981 and 1985.

A

NOTATION VOTE

RESPONSE SHEET

TO: SAMUEL J. CHILK, SECRETARY OF THE COMMISSION

FROM: COMMISSIONER ASSELSTINE

SUBJECT: SECY-85-373 - DENIAL OF DOE REQUEST FOR EXEMPTION TO
PERMIT SALVAGING CONTAMINATED SMELTED ALLOYS

APPROVED ✓ DISAPPROVED _____ ABSTAIN _____
NOT PARTICIPATING _____ REQUEST DISCUSSION _____

COMMENTS:

Entered on "AS"

YES

NO

☐☐

Samuel J. Chilk
SIGNATURE
12-12-85
DATE

SECRETARIAT NOTE: PLEASE ALSO RESPOND TO AND/OR COMMENT ON OGC/OPE
MEMORANDUM IF ONE HAS BEEN ISSUED ON THIS PAPER.

NOTATION VOTE

RESPONSE SHEET

TO: SAMUEL J. CHILK, SECRETARY OF THE COMMISSION

FROM: COMMISSIONER ZECH

SUBJECT: SECY-85-373 - DENIAL OF DOE REQUEST FOR EXEMPTION TO
PERMIT SALVAGING CONTAMINATED SMELTED ALLOYS

APPROVED ✓ with comment DISAPPROVED _____ ABSTAIN _____

NOT PARTICIPATING _____ REQUEST DISCUSSION _____

COMMENTS:

OPE

Recommend redraft the letter to
reflect the stronger justification.

same as NP

Landon W. Zech Jr.
SIGNATURE

Entered on "AS"

YES

NO

☒

☐

12-16-85

DATE

SECRETARIAT NOTE: PLEASE ALSO RESPOND TO AND/OR COMMENT ON OGC/OPE
MEMORANDUM IF ONE HAS BEEN ISSUED ON THIS PAPER.